

Testimony of
Eliseo Medina

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Senate Judiciary Subcommittee on Immigration Thursday, April 30, 2009

Thank you, Mr. Chairman. My name is Eliseo Medina and I am a very proud immigrant today. To address a US Senate subcommittee is a great honor and I thank you for the opportunity. My family and I came to this country in the 50s. We worked in the fields harvesting grapes, oranges and other crops. We worked long days, without breaks, for very low wages and terrible working conditions. To ask for better treatment was asking to be fired on the spot. But, as difficult as the work was, we also knew that if we worked hard we had an opportunity to claim our own little piece of the American Dream. Because of my history, the issue of immigration reform is very personal to me.

Today, I am an executive vice president of the Service Employees International Union, one of the largest unions in America. I am honored to be here today to represent the 2 million homecare, janitors, security officers and other SEIU members who live and work throughout the United States, many of them immigrants who came to this country from all over the world.

Regardless of where we came from, we wake up and go to work every day with the same goal - to work hard, contribute to society and achieve our own American Dream. I believe that to achieve that dream, we have to finally address our broken immigration system. The status quo is simply unacceptable and works only to the benefit of those who break the rules.

That is why the two largest workers organizations in the country - the Change to Win federation and the AFL-CIO - have come together around a unified proposal for comprehensive immigration reform that consists of five components, each of which depends on the others for success:

- ? Rational control of the border;
- ? A secure and effective worker authorization mechanism;
- ? Adjustment of status of the current undocumented population;
- ? Improvement, not expansion of temporary worker programs; and
- ? An independent commission to assess and manage future flows, based on labor market shortages that are determined on the basis of actual need

This proposal will allow millions of undocumented workers to come out of the shadows, relieving them of the fear of arrest and deportation and of leaving behind their families and dreams. It will stop unscrupulous employers from taking advantage of their lack of legal status to exploit them and violate existing wage and hour and health and safety laws. Guest workers fare

no better because they are tied to their sponsoring employer, with no effective redress because to complain is to lose your visa and be deported.

I saw this system firsthand with my father and brother and later as an adult working with sugar cane cutters in Florida under the H2A program. These workers are not treated as "guests" in our country but more like indentured servants.

The current broken system has given rise to a three-tier caste worker system in America - citizens, guest workers and undocumented workers. This onerous system depresses wages for all workers because, unfortunately, too many employers seek out the cheapest, most vulnerable workers in order to gain a competitive advantage. This helps no one, not American workers, not immigrants, not businesses that play by the rules and certainly not taxpayers who wind up paying for an ineffective enforcement system focused on arresting nannies, farm workers and gardeners instead of stopping drug smugglers, gang members or other larger threats to our national security.

Real reform will allow us to focus our resources on our priorities instead of our prejudices. It will solve many problems at one time instead of the current band-aid approach.

Since we unveiled our proposal, the portion that has received the most attention--and been the most misunderstood--has been the independent Commission. The men and women of the labor movement have long believed that our current system for bringing in permanent and temporary workers simply does not work effectively.

The key to designing a sustainable workplace immigration system is that the flow of future workers must be rationally based on the always-evolving labor market needs of the United States.

The Commission would act in two phases. First, it would examine the impact of immigration on the economy, wages, the workforce and business to recommend to Congress a new flexible system for meeting our labor needs and set the number of employment visas. Next, the Commission would set and continuously adjust future numbers based on a congressionally approved method.

We believe our proposal will give all stakeholders a seat at the table to build a system that works for the long term that is based on sound public policy not politics, and will have lasting political support.

We hope you will give it your consideration. Thank you.